

# Departments of Energy and the Interior

## Public Scoping meeting on Energy Policy Act 2005 — Section 1813 Study on Indian Land Rights-of-Way

Adams Mark Hotel, Grand Ballroom II -- 1550 Court Place, Denver, Colorado

March 7-8, 2006,

7:30 a.m. - 5:00 p.m.

### Meeting Objectives:

To begin to understand and list the issues, questions, concerns, and possible paths forward on each of the four elements of the Study:

- (1) an analysis of historic rates of compensation paid for energy rights-of-way on tribal land;
- (2) recommendations for appropriate standards and procedures for determining fair and appropriate compensation to Indian tribes for grants, expansions, and renewals of energy rights-of-way on tribal land;
- (3) an assessment of the tribal self-determination and sovereignty interests implicated by applications for the grant, expansion, or renewal of energy rights-of-way on tribal land; and
- (4) an analysis of relevant national energy transportation policies relating to grants, expansions, and renewals of energy rights-of-way on tribal land.

# Agenda

## Day 1 — March 7

7:30 - 8:30            Registration

8:30 - 9:10            Introductions/Overview Prescoping Results

**Purpose:** *Provide overview of Section 1813 requirements and to communicate the work that has been done to date and how that will affect the Study.*

8:30 – 12:00           Presentations by interested parties on the most important aspects of this study, and on information about which the Departments should be aware

**Purpose:** *to begin to understand key issues, questions, concerns and possible paths forward from a range of perspectives. The data gathered from these presentations and the open comment time will be the starting point for work session discussions.*

9:10 – 9:30            Presentation (Senator Ben Nighthorse Campbell)

9:30 – 9:50            Presentation (Edison Electric Institute)

9:50 – 10:10           Presentation (Council of Energy Resource Tribes)

**10:10 – 10:20        BREAK**

10:20 – 10:40           10:20 – 10:40 Presentation (Fair Access to Energy Coalition)

10:40 – 11:00           Presentation (Affiliated Tribes of Northwest Indians)

11:00 – 11:20           Presentation (DOI Land Assessment and Valuation Group)

11:20 – 11:40           Presentation (Bonneville Power Association)

11:40 - 12:00           Discussion of afternoon process (DOE/DOI)

**12:00 – 1:00        LUNCH**

1:00 – 3:30            **Open Comments Session** (speakers    limited to 5 minute presentations, Please sign up at registration table)

**Purpose:** *to continue to understand and gather input on the issues, concerns, questions, and possible paths forward. This information will be captured on flip charts and used during work session discussions.*

**3:30 – 3:45        BREAK**

**Subject Review and Planning Session** - *to develop a more refined list of issues, questions, and possible paths forward. This will be the framework for future discussion.*

3:45 – 5:00            **Work Session 1:** Historic rates of compensation paid for energy rights-of-way on tribal land -- Analysis

**Purpose:** *to develop a more refined list of issues, questions and possible paths forward. This will be the framework for future meetings; to gather information on the method for historical analysis – if case studies, the criteria for selecting cases.*

## **Day 2 — March 8**

### **Subject Review and Planning Sessions**

***Work Session Objective:** to develop a more refined list of issues, questions and possible paths forward. This will be the framework for future discussions.*

8:00 – 8:30                      Overview of previous day and results

***Purpose:** to provide a summary of the key issues, concerns and questions gathered from Day 1 presentations and open microphone. This summary will be used as the starting point (add, modify, delete) for discussions.*

8:30 – 10:00                      **Work Session 2:** Tribal self-determination and sovereignty interests implicated by applications for the grant, expansion, or renewal of energy rights-of-way on tribal land;

**10:00 – 10:15                      BREAK**

10:15 – 11:45                      **Work Session 3:** Appropriate standards and procedures for determining fair and appropriate compensation to Indian tribes for grants, expansions, and renewals of energy rights-of-way on tribal land;

**11:45 - 1:00                      LUNCH**

1:00 – 2:30                      **Work Session 4:** Relevant national energy transportation policies relating to grants, expansions, and renewals of energy rights-of-way on tribal land.

**2:30 – 2:45                      BREAK**

2:45 – 4:00                      Processes for going forward

4:00 – 4:30                      Closing Comments / Review of next steps.

## **Discussion Guidelines:**

**Respect – respect for different perspectives through:**

- **Listening** – allow everyone a chance to be heard (do not interrupt) and to hear others (stick to the time allotted), no side conversations, the facilitator will work to ensure all voices are heard, that time allotments are adhered to and that meaningful dialogue develops.
- **Postponing Judgment** – it is important to remain open-minded about issues, concern, questions, and possible paths forward presented.
- **Focusing on the issues** - disagreement is inevitable, but must be focused on the issues; participants must avoid behavior that denigrates other participants or that is seriously disruptive to the work group.